

APPENDIX D

Statement Regarding Public Comment

STATEMENT REGARDING PUBLIC COMMENTS

As a staff member or volunteer in the Family Law Information Center, you have certain ethical duties as part of the court.

Family Code section 15010(h) provides that:

A person employed by, or directly supervised by an employee of the Family Law Information Center shall not make any public comment about a pending or impending proceeding in the court as provided by paragraph (9) of subdivision (B) of Canon 3 of the Code of Judicial Ethics. All persons employed by, or directly supervised by, an employee of the Family Law Information Center shall be provided a copy of paragraph (9) of subdivision (B) of Canon 3 of the Code of Judicial Ethics, and shall be required to sign an acknowledgment that he or she was aware of its provisions.

Paragraph (9) of subdivision (B) of canon 3 of the Code of Judicial Ethics states:

A JUDGE SHALL NOT MAKE ANY PUBLIC COMMENT ABOUT A PENDING OR IMPENDING PROCEEDING IN ANY COURT, AND SHALL NOT MAKE ANY NONPUBLIC COMMENT THAT MIGHT SUBSTANTIALLY INTERFERE WITH A FAIR TRIAL OR HEARING. THE JUDGE SHALL REQUIRE SIMILAR ABSTENTION ON THE PART OF COURT PERSONNEL SUBJECT TO THE JUDGES' DIRECTION AND CONTROL. THIS CANON DOES NOT PROHIBIT JUDGES FROM MAKING STATEMENTS IN THE COURSE OF THEIR OFFICIAL DUTIES OR FROM EXPLAINING FOR PUBLIC INFORMATION THE PROCEDURES OF THE COURT, AND DOES NOT APPLY TO PROCEEDINGS IN WHICH THE JUDGE IS A LITIGANT IN A PERSONAL CAPACITY.

Other than cases in which the judge has personally participated, this Canon does not prohibit judges from discussing in legal education programs and materials, cases and issues pending in appellate courts. This educational exemption does not apply to cases over which the judge has presided or to comments or discussions that might interfere with a fair hearing of the case

ACKNOWLEDGMENT

I acknowledge that I have read and am aware of the provisions of paragraph (9) of subdivision (B) of canon 3 of the Code of Judicial Ethics.

I understand that they are binding on me in the scope of my ☐ employment or ☐ volunteer assignment by the Office of the Family Law Information Center.

Date: _____

Signature: _____

Name: _____

☐ Employee ☐ Volunteer

Directions: Original should be placed in administrative files of the Family Law Information Center, copy to be given to the employee or volunteer.